

Message Text

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46

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FM SECSTATE WASHDC

TO AMEMBASSY REYKJAVIK

UNCLAS STATE 199189

E.O. 11652: N/A

TAGS:ERIN, ETRD, IC

SUBJECT: GOI INQUIRY ON POSSIBLE IMPORT SURCHARGE REFUND

REF: REYKAJAVIK 1163

1. RECOMMENDATION HAS BEEN MADE TO JUSTICE DEPT.
THAT U.S. APPEAL JULY 8, 1974 DECISION OF U.S. CUSTOMS
COURT IN IMPORT SURCHARGE CASE (YOSHIDA INTERNATIONAL
INC. V. U.S.). DECISION ON WHETHER OR NOT TO APPEAL
MUST BE MADE BY SOLICITOR GENERAL. TIME FOR APPEAL
EXPIRES SEPT. 6, AND IF SOLICITOR HAS NOT DECIDED APPEAL
QUESTION BY THEN, WE UNDERSTAND JUSTICE PLANS TO FILE
NOTICE OF APPEAL PENDING SOLICITOR'S FINAL DECISION.

2. REGARDING POSSIBLE SURCHARGE REFUND, CUSTOMS COURT
IN YOSHIDA CASE DECLARED SURCHARGE LEVIED AGAINST
YOSHIDA INVALID AND VOID AND ORDERED REGIONAL COMMISSIONER
OF CUSTOMS AT PORT OF NEW YORK TO REFUND SURCHARGE
ASSESSMENT. TREASURY INFORMS US THAT CUSTOMS BUREAU HAS
NO INTENTION OF MAKING REFUND EITHER TO YOSHIDA, PENDING
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APPEAL OF COURT'S DECISION IN ITS CASE, OR TO OTHERS

FROM WHOM SURCHARGE COLLECTED. KISSINGER

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NNN

Message Attributes

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Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
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Disposition History: n/a
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